

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, MARCH 4, 1996  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:11 p.m. Mayor Golding adjourned the meeting at 3:31 p.m. to meet in Closed Session on Tuesday, March 5, 1996, at 9:00 a.m. in the twelfth floor conference to discuss existing litigation, negotiating property acquisitions, and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

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FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Arthur Maricle of the  
Lighthouse Independent Baptist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding H.R. 2580 and how he  
believes it would do away with the Bill of Rights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A032-055.)

ITEM-PC-2:

Comment by John Ihrig petitioning the City Council for the  
immediate approval of speed limit and traffic regulations on  
Bayside Walk to match those now in force on Ocean Front  
Walk.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A056-071.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Sue Hudson regarding her outrageous water bill of  
over \$9,000.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A074-103.)

ITEM-PC-4:

Comment by Art Salzberg regarding the meeting that will be held at Mt. Soledad on Easter morning by a group of atheists who have obtained a permit.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-125.)

ITEM-PC-5: REFERRED TO CITY MANAGER

Comment by Bob Leonard, President of Ticketmaster, asking the City to institute a program called "Tickets for Kids." This program has been successful in eleven other cities in the United States. Ticketmaster would provide tickets for various events to kids who are being awarded for an outstanding accomplishment. Ticketmaster would work in conjunction with the City who essentially would determine how the tickets are to be distributed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A127-169.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Warden announcing the birth of the 13th gorilla that was born at the Wild Animal Park. The baby gorilla was born to Alberta and Winston on March 1, 1996.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A174-179.)

ITEM-CC-2:

Comment by Council Member Vargas regarding the permit issued to a group of atheists to allow them to meet at Mt. Soledad on Easter morning. He informed Council that he will be circulating a memorandum regarding this issue.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A180-191.)

ITEM-30:

SUBJECT: Women's History Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-996) ADOPTED AS RESOLUTION R-286960

Proclaiming the month of March, 1996 to be "Women's History Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A192-272; A362-368.)

MOTION BY KEHOE TO ADOPT ITEMS 30, 31, AND 33. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: University City Foundation for Public Schools Day.

COUNCILMEMBER MATHIS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-839) ADOPTED AS RESOLUTION R-286961

Recognizing the directors and all volunteers for their personal contribution to improving the learning environment for all children attending University City public schools through the University City Foundation for Public Schools;

Proclaiming Monday, March 4, 1996 to be "University  
City Foundation for Public Schools Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A273-319; A362-368.)

MOTION BY KEHOE TO ADOPT ITEMS 30, 31, AND 33. Second by  
Warden. Passed by the following vote: Mathis-yea,  
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: RETURNED TO COUNCIL MEMBER KEHOE

SUBJECT: Supporting the Campaign to Protect Sane Gun Laws.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-971)

Supporting the Campaign to Protect Sane Gun Laws and  
its efforts to end violence in our communities and the  
needless deaths and injuries that tragically accompany  
it;

Pledging to work with the San Diego Committee Against  
Handgun Violence to prevent the erosion of existing  
laws and to enact new laws to keep guns out of the  
hands of criminals and children in our state.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A368-393.)

ITEM-33:

SUBJECT: Mission Trails Regional Park Volunteer Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-962) ADOPTED AS RESOLUTION R-286962

Proclaiming February 24, 1996 to be "Mission Trails

Regional Park Volunteer Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A320-368.)

MOTION BY KEHOE TO ADOPT ITEMS 30, 31, AND 33. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Amending the Permanent Rules in the Municipal Code to Change the Standing Committees' Names.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/12/96.

(Council voted 8-0. Mayor Golding not present):

(O-96-98) ADOPTED AS ORDINANCE O-18266 (New Series)

Amending the San Diego Municipal Code by amending Chapter II, Article 2, Sections 22.0101, 22.0207 and 22.2101, Chapter III, Article 3, Section 33.0502, Chapter IV, Article 3, Section 43.0312, 43.0314, Chapter VI, Article 3, Section 63.0201, Chapter VIII, Article 5, Section 85.06, Chapter IX, Article 1, Section 91.0204, Chapter X, Article 1, Section 101.0518, relating to Name Changes to the Standing Committees of the City Council, as follows:

1. Committee on Rules, Finance and Intergovernmental Relations (formerly the Committee on Rules, Legislation and Intergovernmental Relations).
2. Committee on Natural Resources and Culture (formerly Public Facilities and Recreation).
3. Committee on Land Use and Housing (formerly Transportation and Land Use).
4. Committee on Public Safety and Neighborhood Services (formerly Public Services and Safety).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-51:

SUBJECT: Torrey Reserve Terraces.  
(Sorrento Hills Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/13/96.

(Council voted 9-0):

(O-96-106) ADOPTED AS ORDINANCE O-18267 (New Series)

Rezoning 40 acres located east of I-5, south of Carmel Mountain Road and north of Los Penasquitos Canyon Creek, into the R-1500, M-IP, OS-OSP and Hillside Review Overlay Zone.

FILE LOCATION: ZONE - Ord. No. 18267

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-52: TRAILED TO TUESDAY, MARCH 5, 1996, UNTIL AFTER THE  
PORT DISTRICT HAS ACTED ON THIS ISSUE

SUBJECT: Two actions related to Convention Center Expansion.  
(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 2/20/96.

(Council voted 9-0):

Subitem-A: (O-96-112)

Requesting the Convention Center Expansion Financing Authority to authorize and approve the issuance and sale of the Convention Center Expansion Financing Authority Lease Revenue Bonds Series 1996A;

Authorizing: a) the Joint Exercise of Powers Agreement between the City of San Diego and the San Diego Unified Port District creating the Convention Center Expansion Financing Authority; b) an Existing Center Lease between the City and the Authority; c) an Expansion Lease between the City and the Authority; d) the Convention Center Facility Lease between the City and the Authority; e) a Support Agreement between the City and the District; f) a Continuing Disclosure Agreement between the City and a Trustee of the Authority and approving related financing documents and requesting the Authority to approve the sale and issuance of Lease Revenue Bonds to fund the costs (approximately \$196.2 million) of the expansion of the San Diego Convention Center.

Subitem-B: (O-96-113 Cor. Copy)

Authorizing and approving the First Amended and Restated Convention Center Management Agreement between the San Diego Unified Port District and the City of San Diego;

Authorizing and approving: a) Purchase Options and Lease Agreements between the City and the District; b) the First Amended and Restated Management Agreement between the City and the District; c) a Letter Agreement between the City Manager and the Port Director.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A550-565.)

\* ITEM-53:

SUBJECT: Joint Powers Agreements for the Operations and Maintenance of Tijuana River Valley Park and Mission



Trails Regional Park.

(Mission Trails and Tijuana River Valley Community  
Areas. Districts-7 & 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
2/20/96.

(Council voted 9-0):

(O-96-60) ADOPTED AS ORDINANCE O-18268 (New Series)

Authorizing Joint Powers Agreements with the County of  
San Diego regarding the operation and maintenance of  
Tijuana River Valley Park and Mission Trails Regional  
Park.

FILE LOCATION: MEET CONFY96-2

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Wear. Passed by the following  
vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,  
Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

\* ITEM-54:

SUBJECT: First Amendment to Lease Agreement with The Lodge at  
Torrey Pines Partnership.

(La Jolla Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
2/12/96.

(Council voted 8-0. Mayor Golding not present):

(O-96-109) ADOPTED AS ORDINANCE O-18269 (New Series)

Authorizing a first amendment to the lease agreement

with The Lodge at Torrey Pines Partnership, which adds approximately two acres to the leasehold area.

FILE LOCATION: LEAS - The Lodge at Torrey Pines Partnership  
LEASFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-55:

SUBJECT: Proposal to Lease Space at Encanto Standpipe to Nextel Communications.

(Skyline Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-110) INTRODUCED, TO BE ADOPTED MARCH 18, 1996

Introduction of an Ordinance authorizing a five-year lease agreement with three five-year options to extend, with Fleet Call West, Inc., (Massachusetts Corporation) dba Nextel Communications, for approximately 800 square feet of space at the Encanto Reservoir located at Aviation Drive and Benson Avenue (Redwood Village Standpipe) being a portion of Lot 162, Encima De San Diego, Map-1546, for communication purposes, at an initial rent of \$12,000.

CITY MANAGER SUPPORTING INFORMATION:

Nextel is a major international force in the cellular phone industry that has recently expanded into the Southern California market. The proposed lease agreement for space at the Encanto Reservoir, located at Aviation Drive and Benson Avenue, is a major anchor point for their entire system in San Diego. Nextel proposes to invest approximately \$40,000 to construct an equipment shelter and install an antenna tower. They have agreed to do substantial landscaping around the entire parcel and renovate a defunct watering system to irrigate it. The agreement

that has been negotiated is for an initial term of 5 years, commencing on the first day of the month following execution by the City, with three 5 year options. The Water Utilities Fund will receive \$12,000 per year initially, subject to yearly adjustments to reflect changes in the Consumer Price Index. The agreement also provides for market adjustments to the rent at the end of the tenth and fifteenth years.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO INTRODUCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Canceling City Council Meeting of Monday, March 25, 1996.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-966) ADOPTED AS RESOLUTION R-286963

Canceling the regular meeting of the City Council scheduled on March 25, 1996, pursuant to San Diego Municipal Code Section 22.0101, Rule 1, due to an anticipated lack of quorum of City Councilmembers;

Directing the City Clerk to post and publish appropriate notice of the cancellation of the above specified meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Easement Grant to San Diego Gas & Electric Company for  
Wild Animal Park Leasehold.

(San Pasqual Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-831) ADOPTED AS RESOLUTION R-286964

Authorizing the execution of a deed conveying to San  
Diego Gas & Electric Company an easement for the  
provision of electricity to serve heaters and transfer  
cages on the Wild Animal Park leasehold.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Wild Animal Park, a City lessee, has requested  
SDG&E to provide electricity to heaters and transfer cages. The  
transfer cages are used as a temporary holding site for incoming  
and outgoing animals. These cages are currently powered by a gas  
generator. The easement is 12 feet in width and approximately  
758 feet long. Water Utilities Department has reviewed and  
approved this easement.

FILE LOCATION: DEED F-6691 DEEDFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Water Easements Exchange.

(Located north of Nancy Ridge Drive. Mira Mesa  
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-922) ADOPTED AS RESOLUTION R-286965

Approving the acceptance by the City Manager of a deed conveying to the City an easement for water main facilities in Parcel 12 of Parcel Map PM-17347;

Authorizing the execution of a quitclaim deed, quitclaiming to ZJR, all the City's right, title and interest in the water easement in Parcel 12 of Parcel Map PM-17347.

FILE LOCATION: DEED F-6692 DEEDFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103:

SUBJECT: Exclusive Sale of City Owned Land in Normal Heights.  
(Normal Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-904 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-286966

Authorizing the sale by negotiation of a portion of Villa Lots 196 and 197 of Normal Heights, Map-985 for the sum of \$83,000 to the State of California;

Authorizing the execution of a grant deed, granting to the State of California said property;

Determining that no broker's commission shall be paid by the City on the negotiated sale;

Authorizing the execution of a Right-of-Way Contract with the State of California in connection with the conveyance of the above described property.

CITY MANAGER SUPPORTING INFORMATION:

The subject property is required by Caltrans for State Route 15 in the Mid-City area and will be used in connection with the

Normal Heights/Kensington Public Park.

The parcel, consisting of 4,399 square feet, was acquired by the City for park purposes. The Park and Recreation Department has reviewed the proposed sale and has no opposition. The parcel was appraised at \$83,000 by a Caltrans appraiser and reviewed by City of San Diego valuation staff.

FILE LOCATION: DEED F-6693 DEEDFY96-1 CONTFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT THE RESOLUTION AS AMENDED TO INCLUDE THE FOLLOWING LANGUAGE: "AUTHORIZE A SALE BY NEGOTIATION OR THROUGH NEGOTIATED LAND TRANSFER OF A PORTION OF VILLA LOTS 196 AND 197 IN NORMAL HEIGHTS, MAP-985 FOR THE SUM OF \$83,000 TO THE STATE OF CALIFORNIA." THIS AMENDMENT WILL ALLOW STAFF THE FLEXIBILITY TO PURSUE POSSIBLE LAND SWAPS WITH ADJACENT PROPERTIES THAT COULD ADD TO PARK SPACE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Two actions related to the Mission Gorge Road  
(Greenbriar Avenue to Princess View Drive) Underground  
Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-916) ADOPTED AS RESOLUTION R-286967

Designating April 15, 1996 as the date upon which all property in the Mission Gorge Road (Greenbriar Avenue to Princess View Drive) Underground Utility District must be ready to receive underground service and June 15, 1996 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-96-917) ADOPTED AS RESOLUTION R-286968

Authorizing the City Auditor and Comptroller to open Fund No. 78075 for the purpose of depositing Public

Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Mission Gorge Road (Greenbriar Avenue to Princess View Drive) Underground Utility District;  
Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the Mission Gorge (Greenbriar Avenue to Princess View Drive) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds one foot;

Authorizing the City Auditor and Comptroller to return to San Diego Gas & Electric Company any undisbursed funds upon written notice from San Diego Gas & Electric Company to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Mission Gorge Road (Greenbriar Avenue to Princess View Drive) Underground Utility District was created by the City Council on December 3, 1991. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set April 15, 1996 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish June 15, 1996 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum \$1,800.00 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300 - \$1,500.

FILE LOCATION: STRT K-202

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Excusing Councilmember George Stevens from attending the scheduled Land Use and Housing Committee meeting on 12/6/95.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-982) ADOPTED AS RESOLUTION R-286969

Excusing Councilmember George Stevens from attending the regularly scheduled Land Use and Housing Committee meeting on December 6, 1995, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Excusing Mayor Susan Golding from Attending the Council meeting of 2/12/96.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-967) ADOPTED AS RESOLUTION R-286970

Excusing Mayor Susan Golding from attending the regularly scheduled Council meeting of February 12, 1996, due to illness.



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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: North Park Redevelopment Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-958) ADOPTED AS RESOLUTION R-286971

Ratifying the election results of February 13, 1996,  
for the North Park Project Area Committee.

CITY MANAGER SUPPORTING INFORMATION:

An election of the PAC was conducted on February 13, 1996, after notice and according to the PAC bylaws and procedures enumerated within the documents approved by the City Council, and a representative from the City Clerk's Office attended the February 13, 1996 election to ensure its validity. As a result of the election, seven members were elected. The names and categories represented by the seven elected members here presented for ratification by the City Council are as follows: Residential Owner Occupant: Don Leichtling, Frances L. Roe Residential Tenant: Ralph Dilts Business Owner/Property Owner: Steven Emerson, Britt Lundberg Community Organization: Kartsten Gjemre, Maria Sosa

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Settlement of the Claim relating to Sherman Heights  
Community Center.

(Sherman Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-902) ADOPTED AS RESOLUTION R-286972

A Resolution approved by the City Council in Closed Session  
on Tuesday, January 30, 1996 by the following vote:  
Mathis-not present; Wear-yea; Kehoe-yea; Stevens-yea;  
Warden-yea; Stallings-yea; McCarty-not present; Vargas-yea;  
Mayor-yea.

Authorizing the City Manager to pay the sum of \$56,050 in  
the settlement of each and every claim against the City, its  
agents and employees, resulting from the allegedly  
improperly withholding contract funds as it relates to the  
Sherman Heights Community Center (Superior Court Case No.  
683938, Contractors Bonding and Insurance Company v. City of  
San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one  
check in the total amount of \$56,050 (from Fund No. 18529),  
made payable to Contractors Bonding and Insurance Company  
and its attorney of record, Robert C. Niesley, in full  
settlement of the lawsuit and all claims;

Authorizing the City Manager to pay the sum of \$45,638.06 to  
the California State Department of Industrial Relations,  
Division of Labor Standards Enforcement for reimbursement  
for Labor Code violations on behalf of certain Baldan  
Construction Company employees who worked on the Sherman  
Heights Community Center;

Authorizing the City Auditor and Comptroller to issue a  
check for \$45,638.06 (from Fund No. 18529), to the Division  
of Labor Standards Enforcement for reimbursement for Labor  
Code violations on behalf of certain Baldan Construction  
Company employees who worked on the Sherman Heights  
Community Center.

CITY MANAGER SUPPORTING INFORMATION:

The Sherman Heights Community Center Corporation is a non-profit  
organization providing a variety of social services to the  
Community. On March 3, 1993, Sherman Heights Community Center

entered into a contract with Baldan Construction Company for construction of its community center at 2258 Island Avenue. On February 24, 1994, Baldan Construction Company acknowledged that it was financially unable to complete its contract and requested that its bonding company, Contractors Bonding and Insurance Company (CBIC) arrange for completion of the contract. CBIC completed construction of the project and a Notice of Completion was filed on October 17, 1994. On October 10, 1994, the Division of Labor Standard Enforcement (DLSE) issued a Notice of Wages, owed to the City, which alleged that certain persons performed labor as employees of Baldan Construction Company and were not paid prevailing wages in an aggregate amount of \$45,638.06. On October 10, 1994, DLSE issued a Notice of Penalty Assessment to the City assessing penalties against Baldan in the amount of \$56,050 for Baldan's failure to pay the correct prevailing wages on the project. This action will allow the City Manager to issue a check in the amount of \$45,638.06 to DLSE to cover wages owed to certain employees of Baldan Construction Company and a check to CBIC and its attorney of record, Robert C. Niesley, in the amount of \$56,050 since Baldan Construction Company assigned their rights to CBIC and CBIC properly finished the project and no contract funds are owed to the City.

Aud. Cert. 9600851 and 9600852.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109: REFERRED TO CLOSED SESSION ON TUESDAY, MARCH 5, 1996

SUBJECT: Real Property Transaction - Conference with Real Property Negotiator: Property located at 15150 San Dieguito Road is the focus of negotiations in the matter of authorizing the City Manager to negotiate with Bob Payne of Fairbanks Ranch Country Club and with Robert J. Collins of the City, representing the City's interest, with regard to the sale of such property.

Prior to Council discussion in Closed Session and in compliance with the Brown Act (California Government

Code Section 54956.8), this issue is listed on the docket for public testimony.

TODAY'S ACTION IS:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the Public Hearing; and 3) Refer the matter to Closed Session on March 5, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO REFER TO CLOSED SESSION ON TUESDAY, MARCH 5, 1996. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-110: REFERRED TO CLOSED SESSION ON TUESDAY, MARCH 5, 1996 SUBJECT: Real Property Transaction - Conference with Real Property Negotiator: Properties located at: 1) 1720 South Shores Road in Mission Bay Park, commonly known as Sea World of California, and 2) approximately 12-16.5 acre parcels of land located adjacent to and easterly of Sea World of California, are the focus of negotiations in the matter of authorizing the City Manager to negotiate with Mike Cross of Sea World of California, and with Robert J. Collins of the City, representing the City's interest, with regard to the lease of such properties.

Prior to Council discussion in Closed Session and in compliance with the Brown Act (California Government Code Section 54956.8), this issue is listed on the docket for public testimony.

TODAY'S ACTION IS:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the Public Hearing; and 3) Refer the matter to Closed Session on March 5, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)  
CONSENT MOTION BY KEHOE TO REFER TO CLOSED SESSION ON  
TUESDAY, MARCH 5, 1996. Second by Wear. Passed by the  
following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-111: CONTINUED TO MARCH 18, 1996

SUBJECT: Amending the SPSP, SPSP-M, SPSP-H, and 401(k) Plans.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-970)

Amending the SPSP, SPSP-M, SPSP-H, and 401(k) Plans to  
allow a participant trustee to be appointed for the  
SPSP Plan and a participant trustee to be appointed for  
the 401(k) Plan and that a loan program, administered  
by the Third Party Administrator be instituted.

CITY MANAGER SUPPORTING INFORMATION:

Amendments to the SPSP, SPSP-M, SPSP-H, and 401(k) Plans which  
allow for the contracting of third party administration and  
investment services, were previously approved by the City Council  
through Resolution No. R-285505, adopted by the City Council on  
March 20, 1995. This resolution establishes Co-Trustees to  
manage the Trust Fund, including the City Treasurer, the City  
Manager and the Retirement Administrator or their designees.  
These changes will become effective after a vote of approval by  
the Plan Participants. As the result of recent discussions with  
Employee Organizations, the following additional changes are  
recommended for inclusion in the SPSP, SPSP-M, SPSP-H, and 401(k)  
Plan Documents.

1. One Trustee will be elected by the SPSP, SPSP-M, SPSP-H  
Plans Participants to serve with the existing Trustees and vote  
on SPSP related matters. This amendment will be added to the  
SPSP, SPSP-M, and SPSP-H Plan Documents only.
2. One Trustee will be elected by the active 401(k) Plan  
Participants to serve with the existing Trustees. This Trustee  
will only vote on 401(k) related matters. This amendment will be  
added only to the 401(k) Plan Document.
3. A loan program will be offered for the benefit of the SPSP,

SPSP-M, SPSP-H, and 401(k) Plan Participants. The SPSP Plan Documents specify that before these Plans can be amended for changes not required by State or Federal law, a vote of the Plan Participants must be conducted. A majority of the Plan Participants must approve the proposed changes. This vote will take place in the future and will also include the prior amendments approved by the Council to allow third party administration/investment and Co-Trustees. The City Manager recommends approval of these amendments.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO CONTINUE THIS ITEM FOR TWO WEEKS, AS REQUESTED BY THE CITY MANAGER FOR FURTHER REVIEW. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: Five-Year Contract with Ace Parking Management, Inc.  
for Operation of the Evan V. Jones Parkade and the  
World Trade Center Parkade.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-921) ADOPTED AS RESOLUTION R-286973

Authorizing the City Manager to execute a five-year contract with Ace Parking Management, Inc., for the operation of the Evan V. Jones Parkade located at First Avenue and "A" Street, and the World Trade Center Parkade located at Fifth Avenue and "A" Street.

CITY MANAGER SUPPORTING INFORMATION:

Last August the City Council authorized the City Manager to negotiate a new 5-year contract with Ace Parking for operation of the Evan Jones Parkade and World Trade Center Parkade. Ace Parking was the successful proposer responding to a Request for Proposal. As in the past, the proposed contract is a management agreement whereby the City receives all revenue from the two

parkades, reimburses Ace for approved operating expenses, and pays Ace a yearly fee from revenue to manage the parkades. The proposed management fee of \$10,500 per year is the same as in the previous contract. The new contract also provides that Ace will finance at no interest charge up to \$135,000 in parkade capital improvements if requested by the City. A change from the previous contract is that the City retains the option to transfer responsibility for the provision of security guard services from Ace to San Diego Convention Center Corporation (SDCCC), which oversees Ace's management of the parkades for the City, during the term of the new contract. If implemented, this change will allow SDCCC to coordinate the overall security coverage of the San Diego Concourse facilities, including the Evan Jones Parkade. Should SDCCC assume responsibility for this coverage, the City will reimburse SDCCC at approximately the same cost that it would have reimbursed Ace for security services.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

SUBJECT: Agreement with the Black Economic Development Task Force for Specified Economic Development Activities.

(District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-920) ADOPTED AS RESOLUTION R-286974

Authorizing an agreement with the Black Economic Development Task Force for specified economic development activities;

Authorizing the Auditor and Comptroller to reprogram an amount not to exceed \$50,000 from Fund 18530, Dept. 4070, Org. 7021, to Fund 18531, Dept. 4084, Org. 8406;

Authorizing the expenditure of not to exceed \$145,500

(including the reprogrammed \$50,000) from Fund 18531,  
Dept. 4084, Org. 8406.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1995-96 Community Development Block Grant (CDBG) appropriation cycle, approved \$100,000 for the Black Economic Development Task Force (BEDTF) organization. Subsequent to this action, the District Four Council Office approved an additional \$50,000 of unencumbered monies allocated to Project Gold Star in the 1994-95 appropriation cycle for this organization. Major activities are intended to continue enhancing the knowledge of community economic development, actual community information, micro loan program start-up, and community economic development opportunities in the Southeastern San Diego area.

Aud. Cert. 9600853.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Amendment No. 1 to the Agreement with Boyle Engineering Corporation for Engineering Services for Lake Hodges Pump Plant and Pipeline Project (Phase II).

(San Pasqual Valley Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-928) ADOPTED AS RESOLUTION R-286975

Authorizing the first amendment to the agreement of September 13, 1993, with Boyle Engineering Corporation, for consultant services in connection with the Lake Hodges Pump Plant and Pipeline (10 percent design) project for an amount not to exceed \$741,697;



Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$141,697 within Water Revenue Fund No. 41500, from CIP-73-083.0, to CIP-73-253.0, Lake Hodges Pump Plant and Pipeline Project;

Authorizing the expenditure of not to exceed \$741,697 from Water Revenue Fund No. 41500, CIP-73-253.0, Lake Hodges Pump Plant and Pipeline Project.

CITY MANAGER SUPPORTING INFORMATION:

Lake Hodges is one of the nine raw water reservoirs owned and operated by the City of San Diego. Unlike the other City reservoirs, Lake Hodges is not connected to the City's water system. Under the original agreement, RR-282611, dated September 13, 1993, a feasibility study was conducted by Boyle Engineering Corporation, as a first phase of this project, to investigate the feasibility of constructing new facilities to connect Lake Hodges to the City's water system. The feasibility study showed a potential for a cost effective, beneficial pipeline and pump station that would deliver water to and from Lake Hodges. Based on preliminary engineering, cost, environmental constraints and right-of-way considerations, the feasibility study has identified a preferred facility concept and pipeline alignment. The pump station would range from 70 million gallons per day (MGD) to 110 MGD. This project when completed will provide the following benefits: development of local runoff from the San Dieguito River as a source of City water supply, emergency storage for the northern service area of the City, seasonal and carry-over storage benefits, improved water quality, and improved recreational opportunities at the reservoir. This amendment to the agreement will provide engineering services to connect Lake Hodges to the City's water system via the County Water Authority's (CWA) Second Aqueduct, that will deliver the water to the Miramar Water Filtration Plant for treatment. This phase of the project will include preliminary design (10 percent) and preparation of the Environmental Impact Report (EIR) for the project. In a parallel planning effort, CWA, through the Emergency Storage Project (ESP), is proposing to meet the emergency water supply needs through the year 2030. The Lake Hodges Connection is included in two of the four final alternatives proposed by CWA. Accordingly, City staff has been coordinating with CWA and principals of understanding has been approved by both agencies. The principals of understanding has established general points of agreement that can be used as a basis for subsequent negotiations to develop more detailed agreements for use of City facilities. The total fee for the engineering services for this phase (10 percent design and

preparing the EIR) is \$741,697, of which an amount of \$328,732 is distributed among 5 subconsultants. The MBE share is 36.41 percent and the WBE share is 3.3 percent.

Aud. Cert. 9600864.

WWF-96-203.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: First Amendment to the Water Facilities Improvement Agreement (Miramar Ranch North).

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-941) ADOPTED AS RESOLUTION R-286976

Authorizing a first amendment to the Water Facilities Improvement Agreement (Miramar Ranch North).

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego and Miramar Ranch North (MRN) entered into a Water Facilities Improvement Agreement on January 8, 1991 which required MRN to conduct studies to determine the extent of water facilities required to serve the MRN development and the projected development of the surrounding area. The agreement obligates MRN to construct specific water facilities which were identified in the studies in order to develop MRN property. The City has determined that development of the area, including MRN's property, requires modification of the requirement for MRN to construct the two additional pump replacements at the Miramar-Scripps Pump Station and its requesting a modification of MRN's obligation. This Amendment will serve to identify the pump station alternative to be constructed by MRN and to confirm the

City's obligation to insure the proportionate construction responsibility among other developers who will benefit from the required facilities.

FILE LOCATION: WATER - Miramar Ranch North CCONTFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: Family Service Association of San Diego County - Office Renovation.  
(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-927) ADOPTED AS RESOLUTION R-286977

Authorizing an agreement with Family Service Association of San Diego County for design and renovation of its office building at 7645 Family Circle;

Authorizing the expenditure of not to exceed \$52,500 from CDBG Fund 18531, Dept. 4082, Job Order 112601.

CITY MANAGER SUPPORTING INFORMATION:

The Family Service Association, located at 7645 Family Circle, San Diego, is a non-profit agency providing support and counseling for domestic and family problems in San Diego. The Family Services Association provides individual, couple, family and group counseling services for problems such as child abuse, domestic violence, substance abuse, divorce, single parenting, and senior issues. The Family Service Association is proposing to renovate its existing facility. The renovation will include improvements to the heating ventilation and air conditions system (HVAC), plumbing repair, and installation of a new phone system to improve their office functions and services to the community. On May 5, 1995, Council adopted Resolution R-285685 granting \$52,500 of Fiscal Year 1996 CDBG Funds for this project. This

action will allow the \$52,500 to be used for this project.  
Aud. Cert. 9600854.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-117:

SUBJECT: Permit Agreement with Lamps Plus, Inc.  
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-903) ADOPTED AS RESOLUTION R-286978

Authorizing a 5-year permit agreement with Lamps Plus,  
for the use as a parking lot of a 0.13-acre portion of  
City-owned undeveloped West Morena Boulevard  
right-of-way, being Lot 10 of Boulevard Gardens,  
Map-1505, at an initial monthly rental of \$464.

CITY MANAGER SUPPORTING INFORMATION:

Since 1988, Lamps Plus has had a permit to use 0.13 acre of  
City-owned property for parking. Lamps Plus is a lighting store  
at 1303 West Morena Boulevard, and the adjacent City property  
supplements the store's parking lot and facilitates deliveries.  
The City's property is an undeveloped, excess portion of West  
Morena Boulevard with a gravel surface. Lamps Plus currently  
pays \$440 per month under its existing permit which is now on  
holdover. The monthly permit fee will increase to \$464 under the  
new 5-year permit. The \$464 was determined by City staff to be  
fair market rent and is subject to annual increases in the  
Consumer Price Index.

FILE LOCATION: LEAS - Lamps Plus, Inc. LEASFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed

by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Authorizing an Agreement with Nasland Engineering for  
As-Needed Annual Civil Engineering Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-909) ADOPTED AS RESOLUTION R-286979

Authorizing an agreement with Nasland Engineering, for  
as-needed annual Civil Engineering Consultant Services,  
for water and sewer related projects;

Authorizing the expenditure of not to exceed \$125,000  
from CIP-73-312.0, Annual Allocation, As-Needed  
Consultant Services/Water, and an amount not to exceed  
\$125,000 from CIP-46-174.0, Annual Allocation,  
As-Needed Consultant Services/Sewer.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide for civil engineering consultant services on an as-needed basis. These services include: municipal water and wastewater engineering, mechanical engineering, electrical engineering, economic analysis, structural engineering, and other miscellaneous engineering services. In general, these services supplement in-house design effort. It is cost effective to use an as-needed consultant to supplement City staff with specialized engineering support. Five firms were selected from the "As-Needed" list of civil engineering consultants by the Consultant Selection Coordinator to participate in a final selection interview. In accordance with Council Policy 300-7, staff from the Water Utilities Department interviewed the firms and Nasland Engineering was unanimously selected as the best qualified to provide the as-needed civil engineering services. This agreement provides for civil engineering services by task orders on an hourly basis not to exceed \$25,000 per task. The total contract will not exceed \$250,000 for a period of two years from the date of execution of the agreement.

Aud. Cert. 9600845.

WWF-96-199.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119:

SUBJECT: Third Amendment to the Agreement with the U.S. Navy for Support Services in connection with City Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-940) ADOPTED AS RESOLUTION R-286980

Authorizing a third amendment to the agreement of August 2, 1993 with the U.S. Navy for support services in connection with City projects;

Authorizing the expenditure of not to exceed \$150,000 from Metropolitan Wastewater Department Sewer Fund No. 41509, CIP-45-910.2, CWP - Predesign and Engineering Support.

CITY MANAGER SUPPORTING INFORMATION:

On August 2, 1993 the City Council approved an agreement with the U.S. Navy for Support Services for the siting of Clean Water Program, now Metropolitan Wastewater Department (MWWD) and Waste Management Department, now Environmental Services Department (ESD) Projects. It was in the not to exceed amount of \$200,000 and was to run through September 30, 1995, unless modified by amendment. Amendments No. 1 and No. 2 have increased the not to exceed amount of \$450,000 and changed the completion date to September 30, 1997. This agreement is working well and is being used to support projects under the Miramar Landfill General Development Plan (GDP) including MWWD's Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) at NAS Miramar as well as North Metro Interceptor Sewer at Naval Training Center (NTC) and Marine Corps Recruit Depot (MCRD) and projects at the Point Loma Wastewater Treatment Plant, such as

North Shoreline Protection and North Operations Building, both of which impact Navy property. In addition the East Portal Force Main Isolation Structure and the new water tank and water line are also on Navy property at Point Loma. All these projects continue to require Navy support which includes planning, environmental documentation preparation and review, real estate processing, design review, construction monitoring and overall project management and coordination between Navy commands and City staff. In order to continue with programs currently underway and to support these in the near future it is desired to amend the agreement. Therefore, the Council is requested to approve Amendment No. 3 which increases the not to exceed amount to \$600,000. The completion date remains September 30, 1997. This new amount will provide Navy support through Federal Fiscal Year 1996.

Aud. Cert. 9600862.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120:

SUBJECT: Copley Family YMCA - Renovation Design.  
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-915) ADOPTED AS RESOLUTION R-286981

Authorizing a first amendment to the agreement with the YMCA of San Diego County, for design of their facility renovation and expansion at 3901 Landis Street;

Authorizing the expenditure of not to exceed \$50,000 from CDBG Fund 18530, Dept. 4082, Org. 8212, J.O. 112539.

CITY MANAGER SUPPORTING INFORMATION:

The Copley Family YMCA, a non-profit organization, is a branch of the San Diego County YMCA. Copley Family YMCA is located at 3901 Landis Street, and has been serving the low and moderate income families in Mid-City communities since 1944. In addition to the health and fitness center, Copley Family YMCA also provides child care services (licensed for 112 children). In order to meet the needs of Mid-City's growing communities, and also to make this facility accessible to disabled persons and comply with Americans with Disabilities Act (ADA), it has become necessary to renovate and expand the existing facility. On May 29, 1994, City Council adopted Resolution No. R-283845 granting \$25,000 of CDBG funding for this project. On October 3, 1994, City Council adopted Resolution No. R-284711 authorizing the expenditure of \$25,000. On May 1, 1995, City Council adopted Resolution No. R-286585 granting an additional \$50,000 of CDBG funding for this project. This action will allow the \$50,000 to be used to complete the design of this project.

Aud. Cert. 9600837.

FILE LOCATION: MEET CCONTFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: Exclusive Negotiations with Neighborhood House  
Association for a Child Care Facility in City Heights.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-900) ADOPTED AS RESOLUTION R-286982

Authorizing the City Manager to enter into exclusive negotiations with Neighborhood House Association for the lease of approximately 0.56 acres of vacant City-owned land at 41st and Polk Streets for the development, construction and operation of a child care facility in the City Heights area.



CITY MANAGER SUPPORTING INFORMATION:

The Neighborhood House Association (NHA) has approached the City with a request to develop, construct and operate a Head Start child care facility on City-owned land at 41st Street and Polk Street, adjacent to Central Elementary School. The City-owned property is designated park and consists of approximately .56 acres of vacant land. The City needs additional child care facilities in the community and staff feels that this is an ideal location and appropriate use of the property. The community, as well as YMCA Childcare Resource & Referral Service, which is a state funded child care program that provides information on the availability of child care, has identified a need for additional child care assistance programs in this community. NHA has experience in the development of child care facilities and has the ability to implement a Head Start operated facility that would be federally funded subsidized child care to low income families in City Heights. It is recommended that the City Manager be authorized to enter into an exclusive lease negotiation with the NHA for the above identified property. The lease, after it is negotiated, will be brought back to the City Council for consideration. Due to the current child care needs, if the City and the NHA cannot reach an agreement on the terms and conditions of a lease, or if the NHA determines that it cannot develop the site within two years of City Council approval of this action, the NHA's right for exclusive negotiations will be terminated.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122:

SUBJECT: Appointment to the Commission on the Status of Women.

(See memorandum from Mayor Golding dated 2/21/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-991) ADOPTED AS RESOLUTION R-286983

Council confirmation of the appointment by the Mayor of Mary Louise Dunford, to serve as a member of the Commission on the Status of Women, for a term ending March 1, 1998, replacing Sounanthana "Sue" Nosavan, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123:

SUBJECT: Appointment and Reappointments to the Citizens' Advisory Board on Police and Community Relations.

(See memorandum from Mayor Golding dated 2/21/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-987) ADOPTED AS RESOLUTION R-286984

Council confirmation of the following appointment and reappointments by the Mayor to serve as members of the Citizens' Advisory Board on Police and Community Relations, representing categories as indicated, for two-year terms expiring January 1, 1998:

Appointment:

Jeanie Graham Estrada (Council District 2)  
(replacing Eileen Histen, whose term has expired)

Reappointments:

Anne McDaniel (Council District 6)  
Charles Wesley Kim, Jr. (Council District 8)  
Marilyn Olson (Human Relations Expert)  
P.J. Skill (Member of the Public)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124:

SUBJECT: Appointment to the Horton Plaza Theatres Foundation Board.

(See memorandum from Mayor Golding dated 2/21/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-986) ADOPTED AS RESOLUTION R-286985

Council confirmation of the appointment by the Mayor of Floyd Gaffney to serve as a member of the Horton Plaza Theatres Foundation Board, for a three-year term ending November 7, 1997, replacing Dee Benson, whose term expired on November 7, 1994;

Waiving Council Policy 000-13 regarding City residency requirements for Floyd Gaffney.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-125:

SUBJECT: Appointment to the Planning Commission.

(See memorandum from Mayor Golding dated 2/23/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-989) ADOPTED AS RESOLUTION R-286986

Council confirmation of the appointment by the Mayor of Patricia A. Butler, to serve as a member of the Planning Commission, for a term ending January 28, 1998, replacing Karen L. McElliot, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126:

SUBJECT: Appointments to the Senior Citizen Advisory Board.

(See memorandum from Mayor Golding dated 2/21/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-990) ADOPTED AS RESOLUTION R-286987

Council confirmation of the following appointments by the Mayor to serve as members of the Senior Citizen Advisory Board, representing districts as indicated, for terms ending July 1, 1997:  
Theodora Gentry - Council District 4  
(replacing Rosemary White-Pope, whose term has expired)  
Marjorie E. Liu - Council District 5  
(replacing Verne Goodwin, whose term has expired)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

\* ITEM-127:

SUBJECT: Appointment to the Board of Zoning Appeals.

(See memorandum from Mayor Golding dated 2/21/96 with  
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-992) ADOPTED AS RESOLUTION R-286988

Council confirmation of the appointment by the Mayor of  
Daniel R. Smith to serve as a member of the Board of  
Zoning Appeals, for a term ending March 1, 1998,  
replacing Theresa R. Castageto McAteer, who resigned  
prior to the expiration of her term.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-128:

SUBJECT: Fiscal Year 1997 Park Trailer Bill.  
(See City Manager Report CMR-96-24.)

TODAY'S ACTION IS:

Adoption of the following resolution:  
(R-96-957) ADOPTED AS RESOLUTION R-286989 - AMENDED  
LIST OF PARK PROJECTS

Approving the list of park projects for potential  
consideration by the State Legislature in the Park  
Trailer Bill;

Authorizing the City Manager or his representative to submit the list of park projects to the City's lobbyist in Sacramento.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S  
RECOMMENDATION:

On 2/14/96, NRC&A voted 5-0 to accept the City Manager's report.

(Councilmembers Mathis, Kehoe, Warden, Stallings, and McCarty voted yea).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT THE RESOLUTION AND TO REQUEST THAT STAFF ADD THE WESTERN PORTION, SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK PROJECT TO THE LIST OF PARK PROJECTS FOR POTENTIAL CONSIDERATION BY THE STATE LEGISLATURE IN THE PARK TRAILER BILL, AS RECOMMENDED BY COUNCIL MEMBER MATHIS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-129:

SUBJECT: Request to Add the Adams Avenue Street Fair to the List of Traditional Special Events as Listed in Council Policy 100-06.

(See memorandum from Councilmember Kehoe dated 11/8/95.)

TODAY'S ACTION IS:

Adoption of the following resolution:  
(R-96-616) ADOPTED AS RESOLUTION R-286990

Amending Council Policy 100-06, titled "City Support for Special Events" to add Adams Avenue Street Fair to the list of Traditional Special Events.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

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On 11/15/95, PS&NS voted 5-0 to add the Adams Avenue Street Fair to the list of Traditional Special Events on consent.

(Councilmembers Kehoe, Stevens, Stallings, McCarty and Vargas voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Amendments to Transient Occupancy Tax Council Policy No. 100-03.

(See Councilmembers Warden and Kehoe's 1/30/96 memorandum; City Manager Reports CMR-96-01, CMR-96-27; FY 97 Funding Applications; FY 96 Funding Recommendations; Special Promotional Programs; John M. Dadian's 2/12/96 letter.)

(Continued from the meeting of January 8, 1996, Item 114, and February 12, 1996, Item 150; last continued at Councilmember Warden's request, to be heard at the NRC&A Committee meeting.)

TODAY'S ACTION IS:

Adoption of the following resolution:  
(R-96-404 Rev.) ADOPTED AS RESOLUTION R-286991

Amending Council Policy No. 100-03 regarding the Transient Occupancy Tax.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S  
RECOMMENDATION:

On 2/14/96, NRC&A voted 4-1 to: a) Amend Section B-7 of Council Policy 100-3 to read: "It is the Council's policy to not fund sports or athletic events, unless they are of national or international significance, are held in San Diego, and are considered to have substantial promotional value to the City";

b) Create the following three subcategories within the Civic Events and Promotional Programs TOT category: Civic and Neighborhood Programs, Sub-Regional Economic Development, and Recreational Programs and Museums; c) Place the following programs under the purview of the Civic Events and Promotional Programs TOT category: MCRD Museum Historical Society, San Diego Automotive Museum, San Diego Hall of Champions Sports Museum, San Diego International Sports Council, South County Economic Development Council; d) Recommend that the Fiscal Year (FY) 1997 Civic Events and Promotional Programs TOT category budget be no less than the Council approved FY 1996 budget for this category (\$743,550), plus TOT funds equal to the FY 1996 TOT budget for South County Economic Development Council (\$29,250), for a total recommended FY 1997 budget for the Civic Events and Promotional Programs TOT category of no less than \$772,800. (Councilmembers Mathis, Kehoe, Warden, and Stallings voted yea. Councilmember McCarty voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A414-556; B132-473.)

MOTION BY KEHOE TO ADOPT THE RESOLUTION APPROVING: 1) CREATING THE FOLLOWING THREE CATEGORIES: CIVIC AND NEIGHBORHOOD PROGRAMS, SUB-REGIONAL ECONOMIC DEVELOPMENT, AND THE RECREATIONAL PROGRAMS AND MUSEUMS; 2) APPROVING THE FUNDING LEVEL OF \$772,800 FOR THE CIVIC EVENTS AND PROMOTIONAL PROGRAMS TOT CATEGORY; 3) DELETING THE WORDS "NEIGHBORHOOD EVENTS" IN THE COUNCIL POLICY FOR THE SAKE OF CLARIFICATION; AND 4) PLACING THE FOLLOWING PROGRAMS UNDER THE PURVIEW OF THE CIVIC EVENTS AND PROMOTIONAL PROGRAMS TOT CATEGORY: MCRD MUSEUM HISTORICAL SOCIETY, SAN DIEGO AUTOMOTIVE MUSEUM, SAN DIEGO HALL OF CHAMPIONS SPORTS MUSEUM, SAN DIEGO INTERNATIONAL SPORTS COUNCIL, AND SOUTH COUNTY ECONOMIC DEVELOPMENT COUNCIL. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Awarding a Contract to U.S. Pipe & Foundry Company for FIRP Phase II Digested Sludge & Centrate Pipelines.  
(District-6.)

CITY MANAGER'S RECOMMENDATION:



Adopt the following resolution:  
(R-96-125) ADOPTED AS RESOLUTION R-286992

Awarding a contract to U.S. Pipe & Foundry Company  
(Union City, CA) for the purchase of Ductile-Iron &  
Steel Pipe, for a total estimated cost of  
\$5,852,031.39, including tax and contingency;

Authorizing the phase funded expenditure of  
\$5,852,031.39 from Sewer Fund No. 41509, CIP-40-921.0,  
FIRP Phase II Digested Sludge & Centrate Pipelines, for  
the purpose of providing funds for the pipe  
procurement, contingency, and related cost, provided  
that the City Auditor first furnishes a certificate  
demonstrating that funds necessary for expenditure  
under established funding phases are, or will be, on  
deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to establish contract  
funding phases with U.S. Pipe & Foundry Company, based  
on the actual low bid submitted, provided that the City  
Auditor first furnishes a certificate demonstrating  
that funds necessary for expenditure under the contract  
are, or will be, on deposit in the City Treasury;

This material purchase phase funding will consist of:

	Pkg "A"	Pkg "B"	Pkg "C"	Pkg "D"
Phase 1 (FY 96)				
Material Procurement	\$221,968.69	\$329,934.18	\$223,014.37	\$184,035.66
Total	\$958,952.90			
Contingency	\$8,452.06	\$12,434.99	\$8,205.73	\$6,799.66
Total	\$35,892.44			
SUB-TOTAL PHASE 1 - (FY 96)				
	\$230,420.75	\$342,369.17	\$231,220.10	\$190,835.32
Total	\$994,845.34			

Phase 2 (FY 97) - Contingent upon Council appropriating funds for this purpose  
in FY 97

	Pkg "A"	Pkg "B"	Pkg "C"	Pkg "D"
Material Procurement	\$1,083,729.48	\$1,610,855.11	\$1,088,834.84	\$898,527.06
Total	\$4,681,946.49			
Contingency	\$41,265.94	\$60,712.01	\$40,063.27	\$33,198.34
Total	\$175,239.56			
SUB-TOTAL PHASE 2 - (FY 97)				
	\$1,124,995.42	\$1,671,567.12	\$1,128,898.11	\$931,725.40
Total	\$4,857,186.05			

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GRAND TOTAL	\$1,355,416.17	\$2,013,936.29	\$1,360,118.21	\$1,122,560.72
Total	\$5,852,031.39			

Authorizing the expenditure of funds from Fund No. 40012, Department No. 700, Organization No. 7002, Object Account No. 4220, and Job Order No. 195583;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B4960/96)

(1 bid received. Requested by the Metropolitan Wastewater Department.)

**CITY MANAGER SUPPORTING INFORMATION:**

Metropolitan Wastewater Department (MWWD) is procuring this material in order to meet the current construction schedule. Metropolitan Wastewater determined that it could obtain the pipe faster if the department ordered the material rather than waiting to award all the individual construction contractors first. This lead time is needed in order to assure availability of the pipe material for the contractor, as manufacturing requires 16 weeks and construction will progress faster than manufacturing. The 5 percent contingency set-aside is to cover the additional cost of fittings, etc. based on field conditions.

Aud. Cert. 9600869.

FILE LOCATION: CONT - Purchase - U.S. Pipe & Foundry Company  
CONTFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**ITEM-201:**

SUBJECT: Inviting Bids for the Miramar Storage Tank and Raw Water Connection Part 2 - Tank and Scripps Poway Parkway Subsystem - Reclaimed Water Package "D".

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-96-809) ADOPTED AS RESOLUTION R-286993

Inviting bids for the Miramar Storage Tank and Raw Water Connection Part 2 - Tank and Scripps Poway Parkway Subsystem - Reclaimed Water Package "D" on Work Order No. 197131/197831;

Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder based on the actual low bid submitted;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$9,621,000 from Water Fund No. 41500, \$7,246,816 for CIP-70-917.0 for Miramar Storage Tank and Raw Water Connection Part I - Tank, and \$2,374,284 from CIP-70-921.0, Scripps Poway Parkway Subsystem - Reclaimed Water, for the purpose of providing funds for this project construction, contingency and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Amending the FY 1996 Budget Ordinance to increase the total appropriations in the Water Operating Fund 41500 by \$1,564,000 and authorizing the transfer of \$1,050,000 to CIP-70-917.0, and \$514,000 to CIP-70-921.0 from the unappropriated Fund Balance in Water Fund 41500. (BID-K96116)

CITY MANAGER SUPPORTING INFORMATION:

The Northern Reclaimed Water Distribution System will convey reclaimed water produced at the North City Water Reclamation Plant (NCWRP) to approximately 300 customers. This distribution

system has been divided into nine construction packages in order to maximize the participation of the local contractors. The Miramar Storage Tank and Raw Water Construction Part 2 - Tank is one of the nine packages. This package consists of a 9 million gallon reclaimed water storage tank, a 500,000 gallon raw water intake structure, a 106-foot by 43-foot buried pump station and approximately 2,000 feet of pipeline. This project is included in the Interim Order issued by the Federal Court dated August 28, 1994. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by City Council Resolution No. R-286603. At this time only approval of the plans and specifications, authorization for advertisement and award for construction of Package "D" (Miramar Storage Tank and Raw Water Construction Part 2 - Tank and Scripps Poway Parkway Subsystem - Reclaimed Water) are being requested.

Aud. Cert. 9600865.

FILE LOCATION: W.O. 197131/197831; CONT - Kiewit Pacific Co.  
CONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to North City Water Reclamation Plant Yard Piping Contract.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-959) ADOPTED AS RESOLUTION R-286994

Approving Change Order No. 7, with C.E. Wylie Construction Company, increasing the contract price by \$393,660;

Authorizing the expenditure of not to exceed \$393,660 from Fund 41509, CIP-42-910.1, North City

Water Reclamation Plant Yard Piping and Electrical  
Distribution, Job Order 194573.

Subitem-B: (R-96-960) ADOPTED AS RESOLUTION R-286995

Certifying that the information contained in Addendum DEP-95-0675 to Environmental Impact Report DEP-91-0516, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that the EIR Addendum reflects the independent judgment of the City of San Diego as Lead Agency; and that the information contained in the Addendum, together with any comments received during the public review process, has been reviewed and considered by Council prior to approval of the North City Water Reclamation Plant Yard Piping Project.

CITY MANAGER SUPPORTING INFORMATION:

On June 26, 1995, the City Council authorized construction of a pipeline to convey centrate from the treatment of biosolids at the Metro Biosolids Center (formerly Fiesta Island Replacement Project/Northern Sludge Processing Facility) to the North City Water Reclamation Plant (NCWRP) site. The centrate pipeline was re-routed north to the existing Third Rose Canyon Sewer through the NCWRP site crossing under I-805 via the North City Tunnel Connector. This revised alignment reduced the amount of centrate piping required by 16,000 linear feet, and will be an overall cost savings to the program. However, revisions on the NCWRP site require changes to the Yard Piping and Electrical Power Distribution Contract. This change order authorizes the Contractor, C.E. Wylie Construction Company, to furnish and install buried pipe from the NCWRP property line on Miramar Road to the Influent Pump Station at NCWRP. This work includes 1,300 linear feet of 20-inch pipe, 210 linear feet of 16-inch pipe, miscellaneous fittings, cathodic protection, and core drilling three holes in the wall of the Influent Pump Station.

Aud. Cert. 9600891.

FILE LOCATION: CONT - C.E. Wylie Construction Company  
CONFY96-1

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,

Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to Fund Transfer Agreement for  
Proposition 116 Funds.

(Pacific Beach and Mission Bay Park Community Areas.  
Districts-2 & 6.)

(Continued from the meeting of February 20, 1996, Item  
102, at Deputy Mayor Stallings's request, to resolve a  
few issues in the community.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-881) ADOPTED AS RESOLUTION R-286996

Authorizing a Fund Transfer Agreement with the  
State of California, for \$137,000 from Proposition  
116 Funds;

Authorizing the Auditor and Comptroller to deposit  
funds received in Proposition 116 Fund 38539,  
Account No. 76410, to CIP-58-094.0, Grand  
Avenue/Mission Bay Drive Bike Lane Project.

Subitem-B: (R-96-882) ADOPTED AS RESOLUTION R-286997

Certifying that the information contained in  
Negative Declaration DEP-95-0168, has been  
completed in compliance with the California  
Environmental Quality Act of 1970 and State  
guidelines, and that the Declaration reflects the  
independent judgment of the City of San Diego as  
Lead Agency, and that the information contained in  
the report, together with any comments received  
during the public review process, has been  
reviewed and considered by Council in connection  
with the Fund Transfer Agreement for Proposition  
116 Funds.

CITY MANAGER SUPPORTING INFORMATION:

This Agreement will transfer Proposition 116 funds from the State to the City for the construction of the Grand Avenue/Mission Bay Drive Bike Lane Project. This project will create a bicycle lane on Grand Avenue and Mission Bay Drive by narrowing the median. A ramp connection from the north side of Grand Avenue to the Rose Creek Bicycle Path will also be constructed as part of this project. This project is funded 72 percent (\$137,000) by Proposition 116 funds and 28 percent (\$53,000) by Local Transportation Funds, which has already been allocated.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Second Phase Consultant Agreement for Nobel Drive and I-805 Interchange.

(North University City Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-926) ADOPTED AS RESOLUTION R-286998

Authorizing an agreement with Boyle Engineering Corporation, to provide final design for Nobel Drive Extension and Interstate 805 Interchange;

Authorizing the expenditure of not to exceed \$1,700,000 from CIP-52-362.0, Nobel Drive Extension and Interstate 805 Interchange, Fund No. 79001;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer funds to the appropriate reserve, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure, are or will be on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

This project is included in the Council approved Public Facilities Financing Plan and Facilities Benefit Assessment for the North University City and FY 96 Capital Improvement Program. The project consists of the extension of Nobel Drive from Shoreline Drive to Miramar Road and construction of a south facing half diamond interchange at Nobel Drive and Interstate 805.

Construction of this project will improve traffic circulation in the University community. On January 29, 1990, the City executed an initial agreement with Boyle Engineering to provide the environmental document, traffic studies, and the preliminary engineering for the project. The need for a Second Agreement with Boyle Engineering to prepare the final design for the project was agreed upon at that time. However, it was decided that the Second Agreement be deferred until after the road alignment, bridge locations, and environmental impacts were identified. The environmental document is now complete and is being prepared for public review. It is proposed to utilize the services of Boyle Engineering to provide final plans, specifications, and estimate for the project since City staff are already fully committed to other projects. Initially consultants submitted letters of interest and five firms were interviewed in conformance with Council Policy 300-7 and the firm of Boyle Engineering Corporation was selected to provide consultant services for both phases of the project.

Aud. Cert. 9600849.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B474-486.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.



District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-913) ADOPTED AS RESOLUTION R-286999

Declaring a continued State of Emergency regarding the  
discharge of raw sewage from Tijuana, Mexico.

SUPPORTING INFORMATION:

For more than 60 years, raw sewage from the Republic of Mexico has flowed unabated into the United States plaguing the residents of San Diego. This flow is a serious threat to the region, creating health hazards, forcing the closure of beaches and impacting local businesses. For this reason, the City Council has continued to declare a State of Emergency in the Tijuana River Valley. The solution to this long standing problem is the construction of the International Treatment Facilities. The facilities consist of a 25 million gallon per day (mgd) secondary treatment plant in the United States, canyon collectors in Goat Canyon and Smuggler's Gulch to collect renegade sewage, and the South Bay Ocean Outfall. The status of these projects is as follows:

SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

- A. Construction Contract 1 (CC-1) - Site Preparation.  
Construction: Completed February 23, 1995 at a cost of \$4,873,615.
- B. Construction Contract 2 (CC-2) - Advanced Primary Facilities.  
Construction: June 1995 - February 1997.  
The construction is proceeding on schedule. Rebar placement, electrical conduit installation, and formwork are ongoing for all major structures. Concrete foundations and lower walls have been placed and backfilled for many of the below-ground structures. The foundation and majority of walls have been placed for the primary sedimentation tanks. The foundation for the personnel building has been placed. The foundation for the perimeter fence has been placed around the entire perimeter. Approximately 2/3 of the columns have been placed along the north perimeter of the site. Excavation for the 96" influent line has been completed from the headworks to Junction Structure #2. The 20' drain line from Canyon del Sol interceptor has been installed along Monument Road.
- C. Construction Contract 3 (CC-3) - Secondary Treatment

Facilities.

Design: December 1993 - March 1996

Construction: On-hold

This project is on hold pending the completion of a Supplemental Environmental Impact Statement (SEIS) and a decision on the best alternative method for secondary treatment. A draft SEIS is expected to be released for public review in Spring 1996.

D. Construction Contract 4 (CC-4) - Collection System.

Design: December 1993 - March 1996

Bid Solicitation: April 1996 - July 1996

Construction: August 1996 - August 1997

Design is proceeding.

SOUTH BAY OCEAN OUTFALL

On June 29, 1995, the Surfriders Foundation initiated a lawsuit against the City of San Diego requesting that the City Council's May 22, 1995 approval of the Environmental Impact Report for the South Bay Ocean Outfall be set aside. The law firm of McCutcheon Doyle is handling this lawsuit for the City. A hearing was held on January 30, 1996. The judge asked for additional information by February 6, 1996. A decision is still pending.

A. Package 1 - Special Structures.

Bid Solicitation: November 2, 1995 - January 9, 1996

Construction:

April 1996 - July 1997

The bids for this project were opened on January 9, 1996. The apparent low bidder is Colich and Sons with a bid of \$9,950,000. This bid is 37 percent higher than the engineers' estimate of \$7,273,000. A request for additional funding was heard by City Council on February 20, 1996. The notice of intent to award is expected to be issued by the end of March, with a notice to proceed by the end of April.

B. Package 2 - Tunnel.

Construction Contractor: Traylor Brothers/Obayashi

Bid: \$88,285,000

Construction: September 1995 - May 1998

Startup: June 1998

The contractor is drilling freeze holes 24 hours per day, seven days per week for the ground freezing operation for the installation of the drop shaft. The contractor has determined that they will have to drill 14 additional freeze holes. Following completion of the freeze holes, the ground freezing operation will take six weeks. The drop shaft is scheduled to be completed by June 1996. The tunnel boring machine is scheduled to be delivered by May 1996.

C. Package 3 - Marine Works.

Construction Contractor: Fletcher General, Inc.

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Bid: \$36,442,000  
Construction: November 1995 - October 1997  
The mobilization schedule is currently under review. The contractor is scheduled to be on-site by May 1996 and the marine work is scheduled to begin in June.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A394-B131.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:31 p.m. in honor of the memory of:  
Manuel Rodriguez and Richard Simmons, as requested by Mayor Golding;  
Stanley Welk, as requested by Council Member Wear;  
Jim Velberg, as requested by Council Member Kehoe; and  
Bill Cleves, as requested by Council Member McCarty.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B487-563.)